

Notice of Allowability

Application No.

10/055,241

Examiner

Mary J. Steelman

Applicant(s)

PECK ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/20/2006.
2. ☒ The allowed claim(s) is/are 1-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/16/2006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This Office Action is in response to Remarks received 09/20/2006.

A terminal disclaimer, referencing US Patent 6,219,628 to Kodosky et al., has been received and approved.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey C. Hood, Reg. No. 35,198 on 11/16/2006.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1, following the first limitation at line 10, "...fixed hardware resources;"

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wherein the programmable hardware element comprises a programmable gate array;

Claim 11, following the first limitation at line 9,

displays icons corresponding to each of at least a subset of the fixed hardware resources;

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wherein the programmable hardware element comprises a programmable gate array;

Claim 13, line 8,

program is deployable on the reconfigurable system,

wherein the reconfigurable system comprises a programmable gate array,

wherein after said deployment, the reconfigurable system is operable to perform the function.

Claim 21, line 8,

a programmable hardware element, wherein the programmable hardware element comprises a programmable gate array and wherein the hardware configuration

Claim 31, line 9,

a programmable hardware element, wherein the programmable hardware element comprises a programmable gate array and wherein the hardware configuration

Claim 33, line 16,

a programmable hardware element, wherein the programmable hardware element comprises a programmable gate array and wherein the hardware configuration

Claim 41, line 8,

a programmable hardware element, wherein the programmable hardware element comprises a programmable gate array and wherein the hardware configuration

THE END

3. The following is an examiner's statement of reasons for allowance:

The Specification at page 31, line 24, defines 'programmable hardware element' to be a programmable gate array type of hardware device, as opposed to a microprocessor programmed with software. Page 32, line 3, defines a "hardware configuration program" to be a type of program, such as a netlist or bit file, that can be used to program or configure a programmable hardware element.

Duncan, Wenban, and other cited prior arts, taken alone or in combination, fail to teach or suggest all limitations of independent claim 1 (and similarly worded in independent claims 11, 13, 21, 31, 33, and 41), including:

“wherein the reconfigurable system comprises a programmable hardware element and one or more fixed hardware resources coupled to the programmable hardware element...” “wherein the programmable hardware element comprises a programmable gate array”

Moreover evidence for modifying the prior art teaching by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited.

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Thus, all remaining dependent claims, claims 2-10, 12, 14-20, 22-30, 32, 34-40, and 42-50, are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman

11/16/2006

Mary Steelman
Primary Examiner